

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

BERRY FLOOR USA, INC., ALLOC, INC.,
and BERRY FINANCE, N.V.,

Plaintiffs,

v.

Case No. 08-CV-44

FAUS GROUP INC.,

Defendant.

ORDER

In an order dated April 21, 2008, the court denied the parties' motion for leave to file under seal briefs and supporting documents pertaining to the defendant's motion to dismiss, or in the alternative, to stay or transfer this action. In that order, the court permitted the parties to file a motion to withdraw the documents they filed under seal, to re-file their briefs and other supporting documents in unsealed form, and to re-file the licensing agreement in limited redacted form. On May 7, 2008, the parties filed a joint motion to withdraw the documents filed under seal and place them in the public record and to file a redacted version of the licensing agreement. The parties state that all documents other than the unredacted versions of the licensing agreement (Pl.'s Opposition to Motion to Dismiss Ex. B and Mollo Decl. Ex. B) shall be placed in the public record.

The parties request that the unredacted versions of the licensing agreement remain under seal because the redacted provisions contain confidential commercial

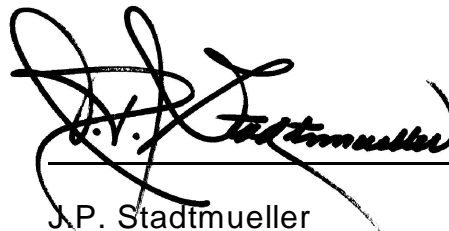
information, which, if made public, would harm the interests of the parties because these provisions were heavily negotiated and not standard licensing provisions for the defendant. The parties also state that the redacted provisions are not relevant to the pending motion to dismiss. In light of the foregoing, the court concludes that, pursuant to Fed. R. Civ. P. 26(c), good cause exists to seal the unredacted versions of the licensing agreement and to permit the filing of the redacted licensing agreement in the public record.

Accordingly,

IT IS ORDERED that the parties' joint motion to withdraw documents filed under seal and place them in the public record and to file a redacted version of the licensing agreement (Docket #25) be and the same is hereby **GRANTED**. All documents other than the unredacted versions of the licensing agreement (Pl.'s Opposition to Motion to Dismiss Ex. B and Mollo Decl. Ex. B) shall be placed in an open file.

Dated at Milwaukee, Wisconsin, this 9th day of May, 2008.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J.P. Stadtmueller", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

J.P. Stadtmueller
U.S. District Judge